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ATTORNEYS FOR DEFENDANT, ADVANCED ENVIRONMENTAL TECHNOLOGY CORP. (TS-6491)

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BOARHEAD FARM AGREEMENT GROUP,

Plaintiff,

v.

ADVANCED ENVIRONMENTAL  
TECHNOLOGY CORPORATION, et al.,

Defendants.

Civil Action No. 02-3830 (LDD)

**ORDER OVERRULING OBJECTIONS  
AND COMPELLING PLAINTIFF  
BOARHEAD FARM AGREEMENT  
GROUP TO RESPOND TO AETC'S  
DISCOVERY REQUESTS**

THIS MATTER having been brought before the Court by Wolff & Samson PC, attorneys for Defendant Advanced Environmental Technology Corp. ("AETC"), by way of motion and upon proper notice to all counsel of record, for an Order overruling objections and compelling Plaintiff, Boarhead Farm Agreement Group ("BFAG") to provide complete responses to AETC's Initial Set of Interrogatories and Document Demands, and the Court having considered the arguments of counsel, and having reviewed the papers submitted by the parties, and for good cause shown;

IT IS on this \_\_\_\_\_ day of December, 2004,

ORDERED that AETC's motion overruling defenses and compelling discovery pursuant to Fed. R. Civ. P. 37 is hereby granted. BFAG shall produce the following discovery within 10 days of the entry of this Order:

- (1) BFAG shall provide an answer to Interrogatory Number 2 setting forth with particularity the factual basis, as well as identifying persons with knowledge or documents, supporting the allegation that AETC is an "arranger" for purposes of CERCLA liability.
- (2) BFAG shall provide an answer to Interrogatory Number 3 setting forth with particularity the factual basis, as well as identifying persons with knowledge or documents, relating to the allegation that AETC owned waste that went to the Boarhead Farm Site.
- (3) BFAG shall provide an answer to Interrogatory Number 4 setting forth with particularity the factual basis, as well as identifying persons with knowledge or documents, relating to the allegation that AETC possessed waste that went to the Boarhead Farm Site.
- (4) BFAG shall provide an answer to Interrogatory Number 6 setting forth with particularity the factual basis, as well as identifying persons with knowledge or documents, relating to the allegation that AETC controlled the disposal process which resulted in Defendant Ashland Chemical and Defendant Diaz Chemical wastes being deposited at the Boarhead Farm Site.
- (5) BFAG shall provide an answer to Interrogatory Number 7 setting forth with particularity the factual basis, as well as identifying persons with knowledge or

documents, relating to the allegation that AETC is responsible for Defendant Diaz Chemical's allocable share of liability in this matter.

- (6) BFAG shall provide an answer to Interrogatory Numbers 9-13.
- (7) BFAG shall provide an answer to Interrogatory Number 14, and state whether or not DeRewal Chemical Company secretly and surreptitiously disposed of hazardous substances at the Boarhead Farm Site.
- (8) BFAG shall provide an answer to Interrogatory Number 16 specifically identifying any admissions and/or declarations against interest including the substance of such admissions and/or declarations and the identity of the person alleged to have made such admissions and/or declarations.

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LeGrome D. Davis, U.S.D.J.